

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DEVEARL L. BACON,)
)
Petitioner,)
)
v.) Civil Action No. 06-519-JJF
)
THOMAS C. CARROLL,)
Warden, and CARL C.)
DANBERG, Attorney)
General of the State)
of Delaware,)
)
Respondents.)

Scanned- BD 9/14/06



AEDPA ELECTION FORM

1.

I wish the Court to rule on my § 2254 petition as currently pending. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this petition will be my one opportunity to seek federal habeas corpus relief.

2. _____

I wish to amend my § 2254 petition to include all the grounds I have. I will do so within thirty (30) days. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this amended all-inclusive petition will be my one opportunity to seek federal habeas corpus relief.

3. _____

I wish to withdraw my § 2254 petition without prejudice to file one all-inclusive petition in the future; that is, one

that raises all the grounds I have for federal habeas corpus relief. I realize this all-inclusive petition must be filed within the one-year period as defined by 28 U.S.C. § 2244(d). See Swartz v. Meyers, 204 F.3d 417 (3d Cir. 2000).

4. _____ I am not seeking federal habeas corpus relief under § 2254. I am instead seeking relief under _____.

Petitioner

DEWEAR L. BACON

I/M Devearl Bacon
SBI# 221242 UNIT 21
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

Cherh
U.S. District Court
844 King Street
Wilmington Delaware
19801



Legal mail

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